IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 11TH DECEMBER 2006 / 20TH AGRAHAYANA 1928

Bail Appl..No. 7144 of 2006()

CRMP.766/2006 OF ENQUIRY COMMISSIONER AND SPECIAL JUDGE, KOZHIKODE.
VC-3/2006 OF VACB, SPECIAL CELL, KOZHIKODE.

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PETITIONER/ACCUSED:

BALAN A.P.,
S/O. A.P. SANKARANARAYANAN, "SWAPNAM",
KADAMPUZHIPURAM, PALAKKAD.

BY ADV. SRI.SAIBY JOSE KIDANGOOR

RESPONDENTS: STATE & COMPLAINANT:

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1. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,HIGH COURT OF KERALA

2. SUB SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI-CORRUPTION BUREAU, SPECIAL CELL
KOZHIKODE.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.7144 OF 2006

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DATED THIS THE 11TH DAY OF DECEMBER, 2006

O R D E R

In this Petition filed under Sec.438 Cr.P.C. the petitioner who is the accused in VC-3/2006 of VACB, Special Cell, Kozhikode for offences punishable under Sections 13(2) read with section 13(1)(e) of the Prevention of Corruption Act, seeks anticipatory bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioner and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs.10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Saturdays.

2. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. Petitioner shall not commit any offence while on bail.

5. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,JUDGE.

dsn